IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF AUGUST
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE G.BHAVANI PRASAD

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WRIT PETITION No.15650 OF 2006

Between:

M/s.Victory Publishers,
Rep. by its Partner Mr.A.Bala Satya Sairam.

..... PETITIONER

AND

Joint Commissioner (CT) (Legal),
O/o.Commissioner of Commercial Taxes,
Andhra Pradesh, Hyderabad, and another.

....RESPONDENTS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
G.BHAVANI PRASAD

WRIT PETITION No.15650 OF 2006

O R D E R
(Per Sri Justice J.Chelameswar)

It may not be profitable even to mention the facts of the case. The case only demonstrates the indiscretion on the part of the respondents in religiously rejecting every application filed seeking stay of the recovery of the tax pending an appeal. Suffice to say, the petitioner's appeal before the Tribunal questioning the order of assessment passed by the 2nd respondent is pending. The amount of tax involved is very meagre to the tune of Rs.21,125/-. The stay application of the petitioner was rejected by the 1st respondent and hence the present writ petition.

Heard the learned Government Pleader.

In the circumstances, we are of the opinion that the writ petition can be disposed of at the admission stage itself by directing the respondents not to take any coercive steps for recovery of the tax pending adjudication of the appeal preferred by the petitioner referred to above.

With the above direction, the writ petition is disposed of.

JUSTICE J.CHELAMESWAR

JUSTICE G.BHAVANI PRASSAD

1ST AUGUST, 2006

NOTE: Issue copy by Thursday.

(B/O)PGS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
G.BHAVANI PRASAD

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